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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KHALID HASAN KHAN,

Plaintiff,

v.

CAROLYN W. COLVIN¹,
Acting Commissioner of Social Security,

Defendant.

Case No: 2:13-cv-01173-GMN-PAL

**DEFENDANT'S MOTION TO SEAL
DECLARATION OF GLENN HAAS AND
ALL DOCUMENTS APPENDED TO IT**

I. INTRODUCTION

Pursuant to LR 10-5, Defendant respectfully requests that the Court seal the declaration of Glenn Haas and all documents attached to it. The Haas declaration and appended documents are attached as an Exhibit to Defendant's Motion to Dismiss that is being filed concurrently with this Motion to Seal. This case involves allegations that the Social Security Administration (SSA) made incorrect decisions about Plaintiff's age and entitlement to age related benefits. In most cases seeking review of benefit decisions made by the SSA, this Court limits access to the file to the Plaintiff and

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

any counsel for the SSA. This is done to avoid the heavy redaction and multiple filings that would otherwise be necessary to redact sensitive information from the documents submitted to the court because these cases deals extensively with personally identifiable information, medical records, financial data and other sensitive data. In this case, however, the court did not limit access to this file and the documents filed in it are all accessible to the public.

Defendant is uncertain why access was not limited but it may be due to the fact that Plaintiff claimed jurisdiction under the Administrative Procedure Act ("APA"), 5 U.S.C. § 702 *et seq.* (complaint at 1:17-19, 22-26,) rather than section 405(g) of the Social Security Act ("Act"), 42 U.S.C. § 405(g)-(h).

Regardless of the reason, however, this case does not have the normal limited access restriction, and the Haas Declaration and attachments to it contains sensitive information that should not be subject to public view, including personally identifiable information and financial data. Further, redaction of the sensitive information is not practicable without considerable difficulty and the risk that the meaning of some of the documents may be obscured.

For these reasons, Defendant respectfully requests that the Declaration of Glenn Haas attached to the Defendant's Motion to Dismiss and all documents appended to the Haas Declaration be sealed.

Respectfully submitted this 27th day of November 2013.

DANIEL G. BOGDEN
United States Attorney

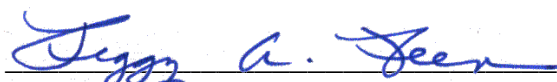
/s/ Blaine T. Welsh
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OF COUNSEL:

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ELLINOR R. CODER
Assistant Regional Counsel
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IT IS SO ORDERED this 9th day of
December 2013.


Peggy A. Leen
United States Magistrate Judge